

GIBSON DUNN

Gabrielle Levin
Partner
T: +1 212.351.3901
M: +1 347.556.1900
glevin@gibsondunn.com

April 8, 2024

VIA ECF

The Honorable Katherine Polk Failla
United States District Court
for the Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: Murray v. UBS Securities LLC and UBS AG
Case No. 14-CV-0927 (KPF)

Dear Judge Failla:

On behalf of Defendants UBS Securities LLC and UBS AG (“UBS”) and Plaintiff Trevor Murray, UBS responds to the Court’s May 1, 2023 request that the parties file a joint letter proposing next steps in this case after the Supreme Court issued its decision. ECF No. 400. On February 8, 2024, the Supreme Court reversed the Second Circuit, holding that Plaintiff did not need to demonstrate “retaliatory intent” as an element of his case, and remanded to the Second Circuit for further proceedings. *Murray v. UBS Sec., LLC*, 601 U.S. 23 (2023). On March 14, 2024, the Second Circuit reinstated the appeal and ordered supplemental briefing on UBS’s alternative ground for vacatur of the jury verdict, which concerns the jury instruction on the meaning of “contributing factor.” ECF No. 406. Supplemental briefing on that alternative ground is in progress and will be completed by May 2, 2024, after which the Second Circuit may decide to hold oral argument. We will update the Court after the Second Circuit has issued its decision.

Respectfully submitted,

/s/ Gabrielle Levin
Gabrielle Levin

cc: All Counsel of Record (via CM-ECF)

Application GRANTED. The parties shall update the Court within two weeks following the Second Circuit’s issuance of its decision regarding this matter.

Dated: April 9, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE